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**CARUSO POPE EDELL PICINI**60 Route 46 East, Fairfield, New Jersey 07004  
973-667-8000 973-667-1200 facsimileAnthony J. Pope, Esq.  
apope@carusopope.comA PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

<b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> DOC #: DATE FILED: <b>04 MAR 2010</b>
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March 3, 2010

**Via Facsimile (212-805-0426) Only**

The Honorable Laura Taylor Swain, U.S.D.J.  
 United States District Court  
 Southern District of New York  
 One Saint Andrew's Plaza  
 New York, New York 10007

**MEMO ENDORSED**

Re: **Anthony Casso v. Philip Carlo**  
**Docket No. 2009 Civ. 520 (LTS)(JCF)**

Dear Judge Taylor Swain:

As Your Honor is aware, this firm represents the interests of Plaintiff, Anthony Casso, with regard to the above-referenced matter. It is my understanding that the matter is scheduled for a status conference on March 5, 2010 before Your Honor.

As Your Honor is undoubtedly aware a Motion for Default Judgment is to be filed in this matter. However, said motion needs to be supported by an Affidavit from the plaintiff who is currently incarcerated in Colorado. Such an affidavit was sent to Mr. Casso, and I await its return in the coming days in order to properly file the appropriate motion with the Court.

As such, I would respectfully request an adjournment of the conference scheduled for March 5, 2010 so as to permit the filing of the appropriate default paperwork and proceed accordingly. I anticipate said motion being filed with the Court within two weeks.

Thank you in advance for Your Honor's continued courtesies with regard to this matter.

*The conference is adjourned to  
 April 23, 2010 at 10:30 AM.*

Respectfully submitted,

CARUSO POPE EDELL PICINI, P.C.

SO ORDERED.

NEW YORK, NY

LAURA TAYLOR SWAIN

BY: ANTHONY J. POPE, ESQ.

Mar 4, 2010 UNITED STATES DISTRICT JUDGE

AJP:jjl